

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Satisfaction of Code Enforcement Lien – Case No. 08-46-CEB – Joseph A. Comfort, III, (previous owners) and Wells Fargo Bank (current owner), 1901 Houndslake Drive, Winter Park

DEPARTMENT: Planning and Development **DIVISION:** Planning

AUTHORIZED BY: Dori DeBord

CONTACT: Carolyn Jane Spencer

EXT: 7403

MOTION/RECOMMENDATION:

Approve the Satisfaction of Lien in the amount of \$1,800.00, Case No. 08-46-CEB, on 1901 Houndslake Drive, Winter Park, Tax Parcel # 34-21-30-527-0300-0120, Joseph A. Comfort, III (previous owners) and Wells Fargo Bank (current owner), and authorize the Chairman to execute a Satisfaction of Lien.

District 1 Bob Dallari

Tina Williamson

BACKGROUND:

In response to a complaint on November 7, 2007, the Code Enforcement Officer observed the following violation located at 1901 Houndslake Drive, Winter Park: The accumulation of trash and debris which is in violation of Seminole County Code Section 95.4, as defined in Section 95.3 (g).

The timeline on this violation is below:

DATE	ACTION	RESULT
March 27, 2008	Code Board Hearing – Findings of Fact, Conclusions of Law and Order	Findings of Fact, Conclusions of Law and Order entered by the Code Enforcement Board setting a compliance date of April 10, 2008 or a fine of \$100.00 per day imposed until compliance is achieved
April 14, 2008	Affidavit of Non-Compliance	Violation remained
April 29, 2008	Affidavit of Compliance	Violation corrected. Property was out of compliance for 18 days @ \$100.00 per day
June 26, 2008	Code Board Hearing – Order Finding Non-Compliance and Imposing Fine/Lien	Order Imposing Fine/Lien entered by the Code Enforcement Board imposing a lien of \$1,800.00 for 18 days of non-compliance.
May 5, 2009	Payment received in the amount of \$1,800.00	

STAFF RECOMMENDATION:

Staff recommends that the Board approve the Satisfaction of Lien in the amount of \$1,800.00, Code Enforcement Board Case #08-46-CEB, on 1901 Houndslake Drive, Winter Park a, Tax Parcel # 34-21-30-527-0300-0120, Joseph A. Comfort, III, (previous owners) and Wells Fargo Bank (current owner)and authorize the Chairman to execute a Satisfaction of Lien.

ATTACHMENTS:

1. Findings of Fact
2. Affidavit Of Non Compliance
3. Affidavit Of Compliance
4. Order imposing Lien
5. Payment and receipt
6. Property Appraiser Data
7. Satisfaction of Lien

Additionally Reviewed By:

☒ County Attorney Review (Melissa Clarke)

**CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 06963 Pgs 1272 - 1273; (2pgs)
CLERK'S # 2008038473
RECORDED 04/03/2008 08:35:36 AM
RECORDING FEES 18.50
RECORDED BY G Harford

CASE NO. 08-46-CEB

SEMINOLE COUNTY, a political
subdivision of the State of Florida,

Petitioner,
vs.

JOSEPH A. COMFORT, III
PARCEL I.D. NO - 34-21-30-527-0300-0120

Respondent.

CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FL
BY: *[Signature]*
DATE: *4-1-08*

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 08-46-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 34-21-30-527-0300-0120) located at 1901 Houndslake Drive, Winter Park, located in Seminole County and legally described as follows:

LEG LOT 12 BLK 3 CEDAR RIDGE UNIT 1 PB 22 PG 80

- (b) in possession or control of the property, and
(c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g)

It is hereby ordered that the Respondent shall correct the violation on or before April 10, 2008. In order to correct the violation, the Respondent shall take the following remedial action:

1) REMOVE ANY TREE DEBRIS FROM THE PROPERTY

If the Respondent does not comply with the Order, a fine of \$ 100.00 per day will be imposed for each day the violation continues or is repeated after compliance past April 10, 2008.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

RETURN TO SANDY MCCANN

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 27th day of March 2008, in Seminole County, Florida.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA



TOM HAGOOD, CHAIR

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 27th day of March 2008, by Tom Hagood, who is personally known to me.



Jane Spencer
Notary Public to and for the
County and State aforementioned.
My Commission Expires



CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political
subdivision of the State of
Florida,

CASE NO: 08-46-CEB

1 10001 100 1100 11 0001 001 1001 11 0001 001 1001 11 1000 100 1001 11 1000 1 10001

Petitioner,

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY

vs.

BK 06994 Pg 1954; (1pg)

Joseph A Comfort III,

CLERK'S # 2008057697

RECORDED 05/16/2008 02:35:47 PM

Respondent.

RECORDING FEES 10.00

RECORDED BY G Harford

AFFIDAVIT OF NON-COMPLIANCE

BEFORE ME, the undersigned authority, personally appeared **Donna Wisniewski**, Code Inspector for **PLANNING DIVISION**, who after being duly sworn, deposes and says:

1. That on **March 27, 2008**, the Board held a public hearing and issued its Order in the above-styled matter.
2. That, pursuant to said Order, Respondent was to have taken certain corrective action by or before **April 10, 2008**.
3. That a re-inspection was performed on **April 14, 2008**.
4. That the re-inspection revealed that the corrective action ordered by the Board has not been taken in that **trash & debris remained on the property**.

FURTHER AFFIANT SAYETH NOT.

DATED this 14th day of April 2008.

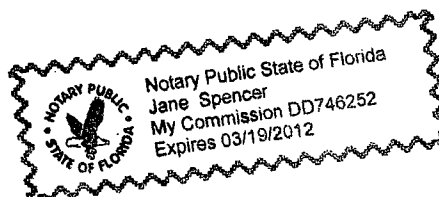
Donna Wisniewski
Donna Wisniewski, Inspector

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 14th day of April 2008, by **Donna Wisniewski**, who is personally known to me and who did take an oath.

Jane Spencer
Notary Public in and for the County
and State Aforementioned
My commission expires:

CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FL
BY: *Jane Spencer*
DATE: *5/13/08*



CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political
Subdivision of the State of Florida

Case No. 08-46-CEB

Petitioner,
Vs.

Joseph A Comfort III,
Respondent.

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 06994 Pg 1955; (1pg)
CLERK'S # 2008057698
RECORDED 05/16/2008 02:35:47 PM
RECORDING FEES 10.00
RECORDED BY G Harford

AFFIDAVIT OF COMPLIANCE

BEFORE ME, the undersigned authority, personally appeared **Donna Wisniewski**, Code Enforcement Officer, Seminole County Sheriff's Office, who after being duly sworn, deposes and says:

1. That on **March 27, 2008**, the Board held a public hearing and issued its Order in the above-styled matter.
2. That, pursuant to said Order, Respondent was to have taken certain corrective action by or before **April 10, 2008**.
3. That a re-inspection was performed and the Respondent was in compliance on **April 29, 2008**.
4. That the re-inspection revealed that the corrective action ordered by the Board has been taken in that **uncultivated vegetation and junked or abandoned vehicles have been removed from the property**.

FURTHER AFFIANT SAYETH NOT. DATED this 29th day of April 2008.

Donna Wisniewski

Donna Wisniewski, Code Enforcement Officer

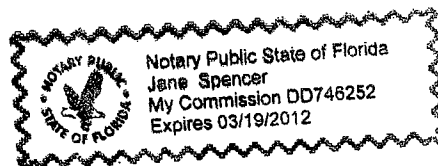
STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 29th day of April 2008, by **Donna Wisniewski** who is personally known to me and who did take an oath.

CERTIFIED COPY

CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FL
BY: *Jane Spencer*
DATE: 3/08

Jane Spencer
Notary Public in and for the County
and State Aforementioned
My commission expires:



RETURN TO SANDY McCANN

**CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

MARYAN MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 07023 Pgs 1529 - 1530; (2pgs)
CLERK'S # 2008077069
RECORDED 07/03/2008 11:16:52 AM
RECORDING FEES 18.50
RECORDED BY G Harford

**SEMINOLE COUNTY, a political
subdivision of the State of Florida,**

CASE NO. 08-46-CEB

Petitioner,
vs.

**JOSEPH A. COMFORT III
PARCEL I.D. NO - 34-21-30-527-0300-0120**

Respondent.
_____ /

CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FL
BY: *[Signature]*
DATE: *[Signature]*

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel ID # 34-21-30-527-0300-0120) located at 1901 Houndslake Drive, Winter Park, located in Seminole County and legally described as follows:

**LEG LOT 12 BLK 3 CEDAR RIDGE UNIT 1
PB 22 PG 80**

This case came on for public hearing before the Code Enforcement Board of Seminole County on March 27, 2008, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g).

Said Order stated that a fine in the amount of \$100.00 per day would be imposed if the Respondent did not take certain corrective action by April 10, 2008.

An Affidavit of Non-Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had not been obtained after reinspection on April 14, 2008.

An Affidavit of Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had been obtained after reinspection on April 29, 2008.

Accordingly, it having been brought to the Board's attention that Respondent has complied with the Order dated March 27, 2008, the Board orders that a lien in the amount of **\$1,800.00** for 18 days of non-compliance at \$100.00 per day, from April 11, 2008 through and including April 28, 2008, be imposed.

This Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

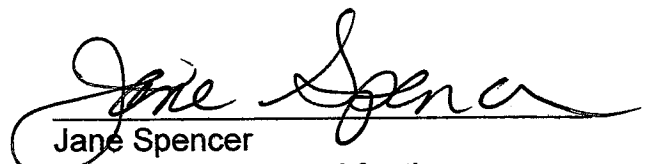
DONE AND ORDERED this 26th day of June 2008, in Seminole County, Florida.

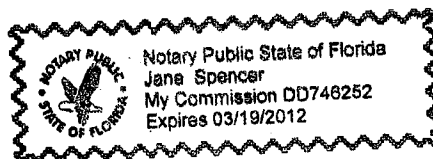
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA


TOM HAGOOD, CHAIR

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 26th day of June 2008, by Tom Hagood, who is personally known to me.


Jane Spencer
Notary Public to and for the
County and State aforementioned.
My Commission Expires



RECEIPT

No 71780

SEMINOLE COUNTY, FLORIDA

Date 5-5 2009

Received from

Watson Title Insurance

Address

Description

Case 08-46-CEB

Account Number

Amount

Description

00100.354200.110100

1800.00

Total Amount

1800⁰⁰

Board of County Commissioners

Check No.

158005

Cash

By

Charles Keller

**** REAL ESTATE CLOSING ****

158005

Buyer/Borrower: CASSANDRA FISCHER

Seller: WELLS FARGO BANK NA AS TRUSTEE FOR OPTION ONE MORTGAGE LOAN TRUST 2007-1 ASSET

Lender: Cash Purchase

Property: 1901 HOUNDSLAKE DRIVE / WINTER PARK

Closer/Responsible Party: KARLA

Settlement Date: April 24, 2009

Disbursement Date: April 30, 2009

Check Amount: \$ 1,800.00

(28-10025-FL.PFD/28-10025-FL/56)

Pay To: BCC

For: CODE

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

WATSON TITLE INSURANCE AGENCY, INC.

WACHOVIA BANK, N.A.

158005

158005

ESCROW ACCOUNT

1800 N.W. 49TH STREET, SUITE 120

FORT LAUDERDALE, FL 33309

(954) 771-5522

63-643/670

28-10025-FL
CODE

--One Thousand Eight Hundred and 00/100

DATE

AMOUNT

April 30, 2009

\$ *****1,800.00

PAY
TO THE
ORDER BCC
OF



SECURITY FEATURES INCLUDED. DETAILS ON BACK.

158005 067006432:2000025731349

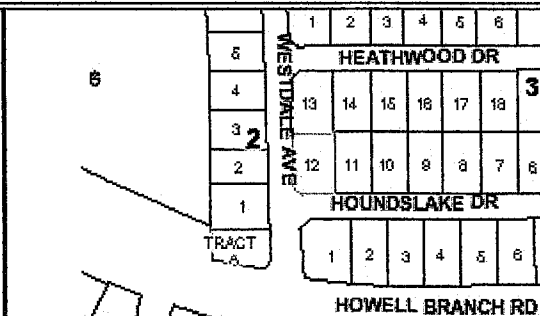
PARCEL DETAIL

DAVID JOHNSON, CPA, ASA

PROPERTY APPRAISER

SEMINOLE COUNTY FL

1101 E. FIRST ST
SANFORD, FL 32771-1468
407-665-7508



GENERAL

Parcel Id: 34-21-30-527-0300-0120

Owner: WELLS FARGO BANK TRUSTEE

Own/Addr: C/O FIDELITY AMER HOME MTG

Mailing Address: 3 ADA

City,State,ZipCode: IRVINE CA 92618

Property Address: 1901 HOUNDSLAKE DR WINTER PARK 32792

Subdivision Name: CEDAR RIDGE UNIT 1

Tax District: 01-COUNTY-TX DIST 1

Exemptions:

Dor: 01-SINGLE FAMILY

VALUE SUMMARY

VALUES	2009 Working	2008 Certified
Value Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Bldg Value	\$166,028	\$183,643
Depreciated EXFT Value	\$9,183	\$9,469
Land Value (Market)	\$33,000	\$40,000
Land Value Ag	\$0	\$0
Just/Market Value	\$208,211	\$233,112
Portability Adj	\$0	\$0
Save Our Homes Adj	\$0	\$0
Assessed Value (SOH)	\$208,211	\$233,112

Tax Estimator

2009 TAXABLE VALUE WORKING ESTIMATE

Taxing Authority	Assessment Value	Exempt Values	Taxable Value
County General Fund	\$208,211	\$0	\$208,211
Schools	\$208,211	\$0	\$208,211
Fire	\$208,211	\$0	\$208,211
Road District	\$208,211	\$0	\$208,211
SJWM(Saint Johns Water Management)	\$208,211	\$0	\$208,211
County Bonds	\$208,211	\$0	\$208,211

The taxable values and taxes are calculated using the current years working values and the prior years approved millage rates.

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
CERTIFICATE OF TITLE	12/2008	07098	1145	\$100	Improved	No
WARRANTY DEED	08/1994	02820	0102	\$108,500	Improved	Yes
WARRANTY DEED	08/1990	02207	1491	\$106,000	Improved	Yes
WARRANTY DEED	09/1982	01412	1443	\$75,200	Improved	Yes
WARRANTY DEED	03/1981	01326	1401	\$400,000	Vacant	No
WARRANTY DEED	05/1979	01225	0667	\$744,000	Vacant	No

Find Comparable Sales within this Subdivision

2008 VALUE SUMMARY

2008 Tax Bill Amount: \$3,511

2008 Certified Taxable Value and Taxes

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	33,000.00	\$33,000

LEGAL DESCRIPTION

PLATS:

LEG LOT 12 BLK 3 CEDAR RIDGE UNIT 1 PB 22 PG 80

BUILDING INFORMATION

Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1982	10	1,080	2,596	1,768	WD/STUCCO FINISH	\$166,028	\$186,548
Appendage / Sqft		OPEN PORCH FINISHED / 326							
Appendage / Sqft		OPEN PORCH FINISHED / 40							

PARCEL DETAIL DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508																																																														
GENERAL Parcel Id: 34-21-30-527-0300-0120 Owner: COMFORT JOSEPH A III Mailing Address: 4 CEDARWOOD CT City,State,ZipCode: PALM COAST FL 32137 Property Address: 1901 HOUNDSLAKES DR WINTER PARK 32792 Subdivision Name: CEDAR RIDGE UNIT 1 Tax District: 01-COUNTY-TX DIST 1 Exemptions: Dor: 01-SINGLE FAMILY		2008 WORKING VALUE SUMMARY Amendment 1 impact not reflected. Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$197,248 Depreciated EXFT Value: \$9,469 Land Value (Market): \$40,000 Land Value Ag: \$0 Just/Market Value: \$246,717 Assessed Value (SOH): \$246,717 Exempt Value: \$0 Taxable Value: \$246,717 Tax Estimator Portability Calculator																																																												
SALES <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>08/1994</td> <td>02820</td> <td>0102</td> <td>\$108,500</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>08/1990</td> <td>02207</td> <td>1491</td> <td>\$106,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>09/1982</td> <td>01412</td> <td>1443</td> <td>\$75,200</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>03/1981</td> <td>01326</td> <td>1401</td> <td>\$400,000</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>05/1979</td> <td>01225</td> <td>0667</td> <td>\$744,000</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> Find Comparable Sales within this Subdivision		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	08/1994	02820	0102	\$108,500	Improved	Yes	WARRANTY DEED	08/1990	02207	1491	\$106,000	Improved	Yes	WARRANTY DEED	09/1982	01412	1443	\$75,200	Improved	Yes	WARRANTY DEED	03/1981	01326	1401	\$400,000	Vacant	No	WARRANTY DEED	05/1979	01225	0667	\$744,000	Vacant	No	2007 VALUE SUMMARY 2007 Tax Bill Amount: \$3,808 2007 Taxable Value: \$257,835 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS																		
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**SATISFACTION OF LIEN
AS TO PARTICULAR PARCEL**

THIS instrument disclaims and releases the lien imposed by the Order Finding Compliance and Imposing Fine/Lien, issued by the Seminole County Code Enforcement Board in Case No. 08-46-CEB, filed against JOSEPH A. COMFORT, III and filed by and on behalf of Seminole County, on June 26, 2008, and recorded in Official Records Book 07023, Pages 1529 - 1530, of the Public Records of Seminole County, Florida, against the following described real property:

LEG LOT 12 BLK 3 CEDAR RIDGE UNIT 1 PB 22 PG 80

The undersigned is authorized to and does hereby disclaim and release the lien as to the whole of the above-described real property, and consents that the same be discharged of record.

DATED this _____ day of _____, 2009.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida

By: _____
BOB DALLARI, Chairman

Date: _____

For the use and reliance
of Seminole County only.
Approved as to form and
legal sufficiency.

As authorized for execution by the
Board of County Commissioners at their
June 23, 2009 regular meeting.

County Attorney